



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

May 10, 2022

Re: FOIA Request NLRB-2022-000464

Dear Nancy Silverman:

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on January 25, 2022, in which you seek copies of the (1) sworn affidavits submitted in support or opposition to the complaint and amended complaint; (2) documentary evidence requests; (3) copies of documentary evidence submitted in response to requests in Bridgewater Associates, LP, Case No. 01-CA-169426. You agreed to assume financial responsibility for the processing of your request in the amount of \$250.00.

We acknowledged your request on January 25, 2022. As a result of several email exchanges with a member of my staff between March 23 and April 10, you consented to narrow the scope of your request to requests for evidence, all affidavits, and “anything else in the case file that is releasable.” We regret the delay in our final response.

Your request is granted in part and denied in part, as explained below.

We reasonably interpreted other “releasable” records as those that can be released without having to go through the business submitter process. The releasable records in this specific case are the formal records. Although the formal records in *Bridgewater Associates, LP*, Case No. 01-CA-169426 (39 pages) were already provided to you in response to FOIA Request ID. NLRB-2022-000428, we provide them again here for your convenience.

A search of the Agency’s electronic casehandling system, NxGen, has been conducted. Regarding the affidavit and the requests for evidence, the search located no responsive records.

For the remaining portions of your request, we reasonably interpreted other “releasable” records as those that can be released without having to go through the FOIA exemption 4 business submitter process. The releasable records in this specific case are the formal records. The formal records in NLRB Case No. 01-CA-169426 (39 pages) were already provided to you in response to NLRB-2022-000428 and for your convenience, are also being provided again. A search of

FOIAonline, the Agency's FOIA case management system, was conducted and located the attached 39 pages of responsive, releasable records.

Regarding the records in NLRB-2022-000248, portions of the records are exempt from disclosure under Exemptions 6 and 7(C) of the FOIA (5 U.S.C. § 552(b)(6) and (b)(7)(C)). Specifically, redactions have been made to protect the privacy interests of individuals named in the records. These redactions were made pursuant to FOIA Exemption 6, which pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy, and FOIA Exemption 7(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. 5 U.S.C. § 552(b)(6) and (b)(7)(C).

You may contact Michael A. Maddox, the FOIA Attorney-Advisor who processed your request, at (202) 273-0013 or by email at Michael.Maddox@nrlb.gov, as well as the Agency's FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Attorney-Advisor, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami
FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nrlb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

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You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at: <https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt
Chief FOIA Officer
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: DLCFOIAAppeal@nrlrb.gov

Any appeal must be postmarked or electronically submitted within 90 days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Attorney-Advisor, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer

Attachment: (39 pages)